



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,853	07/09/2003	Yoshifumi Kato	5000-5113	1775

27123 7590 02/22/2006

MORGAN & FINNEGAN, L.L.P.
3 WORLD FINANCIAL CENTER
NEW YORK, NY 10281-2101

EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
----------	--------------

2677

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/616,853

Applicant(s)

KATO, YOSHIFUMI

Examiner

Motilewa Good-Johnson

Art Unit

2677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/12/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2-3, 5, 8-10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Mori et al., U.S. Patent Publication 2002/0033908 A1.

Regarding claim 1, Maeda discloses a liquid crystal display unit comprising: a liquid crystal panel (111), wherein the liquid crystal panel has a plurality of sub-pixels, and wherein the liquid crystal panel includes a plurality of data electrodes (123, driving electrode, which Examiner interprets as data electrodes) extending parallel to each other, a plurality of scanning electrodes (135) extending parallel to each other, and a liquid crystal (115) located between the data electrodes and the scanning electrodes (col. 35, lines 28-29); a plurality of color filter members having different colors (120) for displaying a color image, wherein each color filter member is located at a position corresponding to at least one of the sub-pixels; and an organic electroluminescent device (160) located behind the liquid crystal panel, wherein the organic

Art Unit: 2677

electroluminescent device functions as a backlight (col. 35, lines 33-35), wherein the organic electroluminescent device has a plurality of organic electroluminescent bodies (10), wherein each organic electroluminescent body located opposite to a corresponding color filter member (figures 12A and 12B) that has the same color as the color of light emitted from the organic electroluminescent body, and wherein each organic electroluminescent body emits light toward the corresponding color filter member (col. 37, lines 40-44), wherein the organic electroluminescent device includes a pair of electrodes (162, 165, col. 36, lines 46-48) that are provided independently of the electrodes of the liquid crystal panel, and wherein the pair of electrodes sandwiches the organic electroluminescent bodies (col. 38, lines 56-61)

Regarding claim 2, Maeda discloses wherein the color filter members are arranged parallel to each other (figures 12A and 12B), wherein the organic electroluminescent bodies extend parallel to each other, and wherein each organic electroluminescent body extends parallel to the corresponding color filter member (figure 15)

Regarding claim 3, Maeda discloses wherein the organic electroluminescent device is designed so that the organic electroluminescent bodies emit light simultaneously (col. 37, lines 14-36)

Art Unit: 2677

Regarding claim 5, Maeda discloses wherein the organic electroluminescent device driven is by a line-sequential drive system (col. 35, lines 46-48)

Regarding claim 8, Maeda discloses wherein each organic electroluminescent body coincides in shape with the color filter member that corresponds to the organic electroluminescent body in a light output direction (figure 15, col. 38, lines 52-65)

Regarding claim 9, it is rejected based on similar rational as claim 1.

Regarding claim 10, Maeda discloses wherein each organic electroluminescent body coincides in shape with the color filter member that corresponds to the organic electroluminescent body in a light output direction (figure 15, col. 38, lines 52-65)

Regarding claim 12, Maeda discloses where one of the pair of electrodes is a first electrode that reflects light and the other one of the pair of electrodes is a second electrode that permits light to pass therethrough, wherein at least one of the first and second electrodes is a single flat sheet along which all the organic electroluminescent bodies are disposed (col. 37, lines 8-27)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 6-7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda U.S. Patent 6,873,099 as applied to claim 1 above, and further in view of Yokoyama, U.S. Patent 6,507,279.

Regarding claim 4, Maeda discloses all of the organic electroluminescent bodies emit light simultaneously (col. 36, lines 46-59)

However, it is noted that Maeda fails to disclose wherein when voltage is applied to the pair of electrodes, that the organic electroluminescent bodies emit light simultaneously.

Yokoyama discloses that when applied voltage in each luminescent layer sandwiched by two electrode layers an electrical field is generated light is emitted simultaneously, col. 11, lines 23-26, and the intensity is correlated with the applied voltage, col. 9, lines 18-36.

It would have been obvious to one of ordinary skill in the art at the time of the invention of Maeda to emit light simultaneous when voltage is applied as disclosed by Yokoyama to emit uniform light across the entire electroluminescent surface.

Regarding claim 6, Maeda discloses wherein each scanning electrode partially corresponds to each of the organic electroluminescent bodies, and wherein, when voltage is applied to any of the scanning electrodes, parts of the organic electroluminescent bodies that correspond to the excited scanning electrodes emit light (col. 11, lines 20-36)

Regarding claim 7, Maeda discloses wherein one of the pair of electrodes is a reflective electrode is located on the opposite side of the liquid crystal panel with respect to the organic electroluminescent bodies, and wherein the reflective electrode reflects light that enters through the liquid crystal panel toward the liquid crystal panel (col. 10, lines 24-33)

However, it is noted that Maeda fails to disclose wherein one of the pair of electrodes comprises a plurality of reflective electrodes, and wherein parts of the electroluminescent bodies that correspond to the excited scanning electrodes emit light by driving the reflective electrodes in synchronization with the scanning electrodes.

Yokoyama discloses wherein one of the pair of electrodes comprises a plurality of reflective electrodes (105), and wherein parts of the electroluminescent bodies that correspond to the excited scanning electrodes emit light by driving the reflective electrodes in synchronization with the scanning electrodes (col. 11, lines 20-35)

Regarding claim 11, Maeda discloses a liquid crystal panel with a pair of substrates and a liquid crystal layer between and further discloses the liquid crystal panel may be provided with a semi-transparent reflective layer on a liquid crystal side of one substrate and EL illumination construction opposite to the liquid crystal layer, col. 10, lines 24-33.

However, it is noted that Maeda fails to disclose wherein one of the pair of electrodes comprises a plurality of reflective electrodes, and wherein parts of the electroluminescent bodies that correspond to the excited scanning electrodes emit light by driving the reflective electrodes in synchronization with the scanning electrodes.

Yokoyama discloses wherein one of the pair of electrodes comprises a plurality of reflective electrodes (105), and wherein parts of the electroluminescent bodies that correspond to the excited scanning electrodes emit light by driving the reflective electrodes in synchronization with the scanning electrodes (col. 11, lines 20-29)

Response to Arguments

5. Applicant's arguments, see page 8-9, filed 12/12/2005, with respect to the rejection(s) of claim(s) 1-10 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Maeda and Yokoyama.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa Good-Johnson whose telephone number is (571) 272-7658. The examiner can normally be reached on Monday, Tuesday and Wednesday 9:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Motilewa Good-Johnson
Examiner
Art Unit 2677

mgj



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600